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Letter dated 6 February 1991 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General

In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to express the Committee's profound indignation at the stepped-up and expanded use of collective punishment by the Israeli authorities against the Palestinian people in the occupied Palestinian territory since the beginning of the war in the Gulf.

In my letter to you dated 14 January 1991 (A/45/925-S/22073), I drew your attention to the growing dangers faced by the Palestinian people in the occupied Palestinian territory and I expressed concern at the possible tragic repercussions of a war in the Gulf for their safety and protection.

According to The New York Times and The Christian Science Monitor of 31 January 1991, the approximately 1.7 million Palestinians living in the occupied Palestinian territory have been under a very strict 24-hour curfew since the beginning of hostilities on 16 January 1991. The curfew, which in effect amounts to placing the population of the occupied territory, including parts of East Jerusalem, under house arrest, is the longest period of complete confinement that has been imposed, since 1967. Every few days, in different locations, the army lifts the curfew for only an hour or two. In the Gaza Strip, Palestinian men are required to remain in their homes even during these short breaks.

The Christian Science Monitor quoted the chief spokesman of the Israeli Army, Brigadier General Nachman Shai, as saying "If there is reason to believe that the Palestinians are not going to demonstrate and disrupt our activities, we'll

probably lift the curfew. But for the time being, the decision is to keep the curfew as it is."

According to the above-mentioned newspapers and Al-Haq, a West Bank association affiliated with the International Commission of Jurists, the severe hardships caused by the curfew have reached a critical stage. With food running out, crops rotting in the fields, and workers unable to earn a living, the situation in the occupied territory is becoming desperate. The food distribution programmes of the United Nations Relief and Works Agency for Palestine Refugees in the Near East have been disrupted, with particularly grave implications for the very large refugee population in the Gaza Strip. Moreover, the continued curfew has seriously hampered ongoing and preventive health-care services. Punishment for curfew violators is said to be severe and there are reports that civilians have been shot for merely standing in the doorways of their homes. Fines of several hundred dollars have been imposed and numerous cases of beatings, the use of tear-gas and arbitrary arrests have been reported. The fact that the Palestinian people has been virtually isolated from the outside world and that representatives of human rights organizations, journalists and other observers have not been granted passes during the curfew has caused great concern.

The imposition of this inhuman and continued curfew on the entire Palestinian population of the occupied Palestinian territory has served only to increase the feeling of vulnerability of the Palestinians and their fear for their very existence. By taking such measures, Israel, the occupying Power, is arrogantly violating its legal obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, particularly articles 39 and 55 of the Convention. There is clearly an urgent need to make Israel comply with the provisions of Security Council resolution 681 (1990), in which the Council urges the Government of Israel to accept the de jure applicability of the Fourth Geneva Convention, of 1949, to all the territories occupied by Israel since 1967 and to abide scrupulously by the provisions of the said Convention.

As reported by The New York Times on 30 January 1991, the Israeli authorities arrested Professor Sari Nusseibeh, "one of the West Bank's most senior political leaders", accusing him of spying for Iraq. The authorities sentenced him to six months of administrative detention (reduced by the Court to three), which means that they are not bound to issue official legal charges and that Mr. Nusseibeh is not entitled to a trial. Even Israelis of the political left complained that if the Government had compelling evidence against Mr. Nusseibeh, then he should be put on trial. Palestinian leaders in the occupied Palestinian territory contended that the charge of espionage was "trumped up".

The Committee on the Exercise of the Inalienable Rights of the Palestinian People wishes once again to express its condemnation of this policy and these repressive practices by Israel and reaffirm the imperative and urgent need to ensure effective protection for the Palestinians living under the occupation. The Committee appeals urgently to you and all concerned to take immediately all

necessary action to bring about the lifting of the curfew and ensure the safety and protection of Palestinians in the occupied Palestinian territory, including Jerusalem.

I should be grateful if you would have this letter circulated as a document of the forty-fifth session of the General Assembly, under agenda item 23, and of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(Signed) Absa Claude DIALLO
Chairman
Committee on the Exercise
of the Inalienable Rights
of the Palestinian People